

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

REYNALDO HERNANDEZ,
Plaintiff

v.

THE CITY OF AUSTIN,
Defendant

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Case No. 1:24-CV-00565-DAE

ORDER

Before the Court is Defendant's Opposed Motion for an Order Compelling Plaintiff's Response to Discovery, filed October 28, 2024 (Dkt. 9).


By Text Order entered November 12, 2024, the District Court referred the motion to this Magistrate Judge for disposition, pursuant to 28 U.S.C. § 636(b)(1)(A), Federal Rule of Civil Procedure 72, and Rule 1(c) of the Local Rules of the United States District Court for the Western District of Texas ("Local Rules").

On September 18, 2024, Defendant the City of Austin served requests for production and interrogatories on Plaintiff Reynaldo Hernandez, who is proceeding *pro se*. Dkt. 9-2. Hernandez responded to neither the discovery requests nor the City's motion to compel. *See* Rules 33(b)(2) and 34(b)(2) (providing that parties must serve answers and objections to interrogatories and requests for production, respectively, within 30 days); Local Rule CV-7(d)(2) ("A response to a discovery or case management motion shall be filed not later than 7 days after the filing of the motion. . . . If there is no response filed within the time period prescribed this by this rule, the court may grant the motion as unopposed."); *see also E.E.O.C. v. Simbaki, Ltd.*, 767 F.3d 475, 485 (5th Cir. 2014) (stating that *pro se* litigants, like all other parties, must "abide by the rules that govern the federal courts").

The Court **GRANTS** Defendant's Opposed Motion for an Order Compelling Plaintiff's Response to Discovery (Dkt. 9) as unopposed pursuant to Local Rule CV-7(d)(2) and **ORDERS** Plaintiff to serve on the City (1) full and complete written, sworn responses to the City's first set of interrogatories and (2) written responses to the City's first request for production and any responsive materials **on or before December 6, 2024**.

IT IS FURTHER ORDERED that this case be removed from this Magistrate Judge's docket and returned to the docket of the Honorable David A. Ezra.

SIGNED on November 12, 2024.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE